IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6135 OF 2005

Balu Mohan Gangurde and Ors. ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Yogendra M. Pendse for Petitioner.

Mr. P.M. Patil, A.G.P. for Respondent Nos. 1 and 2.

Mr. R.V. More for Respondent No. 3.

CORAM : F.I. REBELLO &
MRS R.S. DALVI,**JJ.**
DATED : NOVEMBER 23, 2005

P.C.

. The Respondent No. 2 has filed reply. In paragraph 7 various reasons have been given as to why the decision was taken to cancel the appointment. In the matter of public appointment, even if it be of posts reserved for disabled persons, all eligible disabled persons must be entitled to apply. The advertisement issued does not meet with that requirement. We also find that Respondent No. 2 has considered all aspects of the matter. We find no reason to interfere with the said decision.

. in the light of that, it will not be possible for us to grant the relief as prayed for. Initially only six posts were advertised and thereafter 20 posts were filled in. In other words, all eligible who could have applied, were denied opportunity of applying.

. In these circumstances, Respondent No. 3 is directed to follow the proper procedure for the purpose of filling the posts and while doing so also show the categories and post reserved against each category. The exercise to be completed within six months from today. With the above directions, petition disposed of. Needless to say that the Petitioners and also others who had previously applied will also be entitled to apply when respondent takes steps to fill in the post for physically disabled persons. If any of the selected candidate in the previous selection would become age-barred pursuant to the new selection process, Respondent to consider their application by relaxing age qualification.

(F.I. REBELLO,J.)

(MRS. R.S. DALVI,J.)